

# Montana State Legislature

## **2013 Session**

**Additional Documents include:**

- \*Business Report**
- \*Roll Call- attendance**
- \*Standing Committee Reports,**
- \*Table Bills, Fiscal reports etc.**
- \*Roll Call Votes**
- \*Witness Statements**
- \*Informational items**
- \*Visitor Registrations**
- \*Any other Documents;**
  - ~Petitions if any?**
  - ~Any and all material handed in after the meeting end.**

**The original is on file at the  
Montana Historical Society and  
may be viewed there.**

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## BUSINESS REPORT

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### HOUSE BUSINESS AND LABOR COMMITTEE

**Date:** Friday, February 15, 2013  
**Place:** Capitol

**Time:** 9:00 A.M.  
**Room:** 172

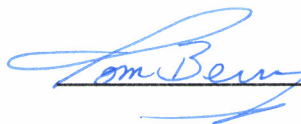
#### BILLS and RESOLUTIONS HEARD:

HB 287 - Enhance penalty for consumer protection violations - Rep. Daniel Salomon  
HB 460 - Provide residential roofing repair protection for insurance policyholders - Rep. Roger Hagan

#### EXECUTIVE ACTION TAKEN:

HB 402 - DO PASS AS AMENDED  
HB 287 - DO PASS  
HB 297 - DO PASS AS AMENDED  
HB 310 - DO PASS AS AMENDED  
HB 416 - DO PASS  
HB 425 - TABLED

**Comments:** None



REP. Tom Berry, Chair

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**BUSINESS & LABOR COMMITTEE**

DATE: 2/15/13

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/EXCUSED</u>
REP. TOM BERRY, CHAIR	✓	
REP. DAN SALOMON, VICE CHAIR	✓	
REP. CARLIE BOLAND, VICE CHAIR	✓	
REP. CHRISTY CLARK	✓	
REP. AMANDA CURTIS	✓	
REP. STEVE FITZPATRICK	✓	
REP. EDWARD GREEF	✓	
REP. ROGER HAGAN	✓	
REP. CHUCK HUNTER	✓	
REP. MIKE LANG	✓	
REP. JONATHAN MCNIVEN	✓	
REP. DAVID MOORE	✓	
REP. REILLY NEIL	✓	
REP. PATRICIA PEPPERS	✓	
REP. GORDON PIERSON, JR	✓	
REP. SCOTT REICHNER	<del>✓</del>	✓
REP. CARY SMITH	✓	
REP. CAROLYN SQUIRES	✓	
REP. TOM STEENBERG	✓	
REP. JEFFERY WELBORN	✓	



*Sec*  
*Ellen Bush*  
*Room 451*

## HOUSE STANDING COMMITTEE REPORT

February 15, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 402** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Tom Berry*

*Representative Tom Berry, Chair*

**And, that such amendments read:**

1. Title, line 5.

**Following:** "OF"

**Insert:** "TABLE"

**Following:** "WINE"

**Insert:** "TO INDIVIDUAL CONSUMERS"

2. Page 1, line 16.

**Following:** "cases of"

**Insert:** "table"

3. Page 1, line 18.

**Following:** "of"

**Insert:** "table"

4. Page 1, line 20.

**Following:** "of"

**Insert:** "table"

5. Page 1, line 25.

**Following:** "ship"

**Insert:** "table"

6. Page 1, line 28.

**Following:** "shipping"

**Insert:** "table"

**Committee Vote:**

**Yes 18, No 2**

Fiscal Note Required ☐

HB0402001SC.hjk

7. Page 2, line 2.

**Following:** "of"

**Insert:** "table"

8. Page 2, line 3.

**Following:** "the"

**Insert:** "table"

9. Page 2, line 5.

**Following:** "of"

**Insert:** "table"

10. Page 2, line 12.

**Following:** "whom the"

**Insert:** "table"

11. Page 2, line 13.

**Following:** "of"

**Insert:** "table"

12. Page 2, line 18.

**Following:** "fill"

**Insert:** "table"

13. Page 3, line 6.

**Following:** "on"

**Insert:** "table"

14. Page 4, line 22.

**Following:** "ship"

**Insert:** "table"

15. Page 5, line 24.

**Following:** "and"

**Insert:** "table wine"

16. Page 6, line 20.

**Following:** "ship"

**Insert:** "table"

17. Page 7, line 22.

**Following:** "~~bottles~~ or"

**Insert:** "288 bottles or"

18. Page 9, line 7.

**Following:** "of"

**Insert:** "table"

- END -



## HOUSE STANDING COMMITTEE REPORT

February 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 287** (first reading copy -- white) do pass.

Signed: \_\_\_\_\_

*Tom Berry*  
Representative Tom Berry, Chair

- END -

**Committee Vote:**

**Yes 20, No 0**

Fiscal Note Required ☐

HB0287001SC.hjk

DC 2-15-13  
12:50



Sec  
Ellen Bush  
Room 451

## HOUSE STANDING COMMITTEE REPORT

February 15, 2013

Page 1 of 2

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 297** (first reading copy -- white) **do pass as amended.**

Signed: Tom Berry  
Representative ~~Tom~~ Berry, Chair

### And, that such amendments read:

1. Title, line 10.

**Following:** "PROGRAM"

**Insert:** "OR OTHER APPLICABLE FEDERAL LAW"

2. Title, line 10 through line 11.

**Strike:** "PROVIDING" on line 10 through "LAW;" on line 11

3. Page 2, line 30.

**Following:** "filed"

**Insert:** "and that the employer has 15 days to respond to the complaint"

4. Page 3, line 13.

**Following:** "hearing"

**Insert:** ", subject to the contested case provisions of the Montana Administrative Procedure Act,"

5. Page 3, line 16.

**Following:** "program"

**Strike:** ". An employer who establishes that"

**Insert:** "or"

6. Page 3, line 17 through line 18.

**Strike:** "establishes" on line 17 through "(1)" on line 18

7. Page 3, line 19.

### Committee Vote:

**Yes 11, No 9**

Fiscal Note Required ☐

HB0297002SC.hjk

**Strike:** "8 U.S.C. 1324a(b)"

**Insert:** "this subsection"

8. Page 4, line 19.

**Following:** "(5)"

**Insert:** "(a)"

9. Page 4, line 21.

**Following:** "suspend,"

**Strike:** "for at least 30 days or for a longer period of time"

10. Page 4, line 22.

**Following:** "department"

**Insert:** "pursuant to subsection (5)(b)"

11. Page 4, line 27.

**Following:** "suspend"

**Strike:** "for at least 30 days or for a longer period"

12. Page 4, line 28.

**Following:** "department"

**Insert:** "pursuant to subsection (5)(b)"

13. Page 4, following line 28.

**Insert:** "(b) (i) For a second offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 1-day period.

(ii) For a third offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 3-day period.

(iii) For a fourth or subsequent offense that is subject to the provisions of subsection (5)(a), the employer's licenses must be suspended for a 10-day period."

14. Page 4, line 29 through line 30.

**Strike:** subsection (6) in its entirety

**Renumber:** subsequent subsections

- END -





Sec  
Ellen Bush  
Room 451

## HOUSE STANDING COMMITTEE REPORT

February 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 310** (first reading copy -- white) **do pass as amended.**

Signed: \_\_\_\_\_

*Tom Berry*  
Representative ~~Tom~~ Berry, Chair

**And, that such amendments read:**

1. Page 1, line 15.

**Insert:** "(3) This section does not apply to instances of gross negligence or willful or wanton acts or omissions."

- END -

**Committee Vote:**

**Yes 11, No 9**

Fiscal Note Required ☐

HB0310001SC.hjk



## HOUSE STANDING COMMITTEE REPORT

February 15, 2013

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 416** (first reading copy -- white) **do pass**.

Signed: \_\_\_\_\_

*Tom Berry*  
Representative Tom Berry, Chair

- END -

**Committee Vote:**

**Yes 16, No 4**

Fiscal Note Required ☐

HB0416001SC.hjk

DC 2-15-13  
12:50

## BILL TABLED NOTICE

### HOUSE BUSINESS AND LABOR COMMITTEE

The **HOUSE BUSINESS AND LABOR COMMITTEE** TABLED

**HB 425 - Revise laws related to the sale of fortified wine - Rep. JP Pomnichowski**  
, by motion, on **Friday, February 15, 2013**.

*Ellen M. Bush*  
(For the Committee)

*DC*  
(For the Chief Clerk of the House)

*3:10* / *2-15*  
(Time) (Date)

February 15, 2013 (3:05pm)

Ellen Bush, Secretary

Phone: 7353  
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**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS & LABOR COMMITTEE**

DATE: 2/15/13 BILL NO 297 MOTION NO. \_\_\_\_\_

MOTION: \_\_\_\_\_  
Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	✓		
REP. CARLIE BOLAND, VICE CHAIR		✓	
REP. CHRISTY CLARK	✓		
REP. AMANDA CURTIS		✓	
REP. STEVE FITZPATRICK	✓		
REP. EDWARD GREEF	✓		
REP. ROGER HAGAN	✓		
REP. CHUCK HUNTER		✓	
REP. MIKE LANG	✓		
REP. JONATHAN MCNIVEN	✓		
REP. DAVID MOORE		✓	
REP. REILLY NEILL		✓	
REP. PATRICIA PEPPERS		✓	
REP. GORDON PIERSON, JR		✓	
REP. SCOTT REICHNER	✓		
REP. CARY SMITH	✓		
REP. CAROLYN SQUIRES		✓	
REP. TOM STEENBERG		✓	
REP. JEFFERY WELBORN	✓		
REP. TOM BERRY, CHAIR	✓		

11-9

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS & LABOR COMMITTEE**

DATE: 2/15/18 BILL NO. 310 MOTION NO. \_\_\_\_\_  
MOTION: amendment

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	✓		
REP. CARLIE BOLAND, VICE CHAIR		✓	
REP. CHRISTY CLARK	✓		
REP. AMANDA CURTIS		✓	
REP. STEVE FITZPATRICK	✓		
REP. EDWARD GREEF	✓		
REP. ROGER HAGAN	✓		
REP. CHUCK HUNTER		✓	
REP. MIKE LANG	✓		
REP. JONATHAN MCNIVEN	✓		
REP. DAVID MOORE	✓		
REP. REILLY NEILL		✓	
REP. PATRICIA PEPPERS		✓	
REP. GORDON PIERSON, JR		✓	
REP. SCOTT REICHNER	✓		
REP. CARY SMITH	✓		
REP. CAROLYN SQUIRES		✓	
REP. TOM STEENBERG		✓	
REP. JEFFERY WELBORN	✓		
REP. TOM BERRY, CHAIR	✓		

12-8

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS & LABOR COMMITTEE**

DATE: 2/15/13 BILL NO 310 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass As Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	✓		
REP. CARLIE BOLAND, VICE CHAIR		✓	
REP. CHRISTY CLARK	✓		
REP. AMANDA CURTIS		✓	
REP. STEVE FITZPATRICK	✓		
REP. EDWARD GREEF	✓		
REP. ROGER HAGAN	✓		
REP. CHUCK HUNTER		✓	
REP. MIKE LANG	✓		
REP. JONATHAN MCNIVEN	✓		
REP. DAVID MOORE		✓	
REP. REILLY NEILL		✓	
REP. PATRICIA PEPPERS		✓	
REP. GORDON PIERSON, JR		✓	
REP. SCOTT REICHNER	✓		
REP. CARY SMITH	✓		
REP. CAROLYN SQUIRES		✓	
REP. TOM STEENBERG		✓	
REP. JEFFERY WELBORN	✓		
REP. TOM BERRY, CHAIR	✓		

11-9

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS & LABOR COMMITTEE**

DATE: 2/15/13 BILL NO 416 MOTION NO. \_\_\_\_\_  
MOTION: \_\_\_\_\_

Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR	✓		
REP. CARLIE BOLAND, VICE CHAIR	✓		
REP. CHRISTY CLARK	✓		
REP. AMANDA CURTIS	✓		
REP. STEVE FITZPATRICK	✓		
REP. EDWARD GREEF	✓		
REP. ROGER HAGAN	✓		
REP. CHUCK HUNTER	✓		
REP. MIKE LANG	✓		
REP. JONATHAN MCNIVEN	✓		
REP. DAVID MOORE		✓	
REP. REILLY NEILL	✓		
REP. PATRICIA PEPPERS	✓		
REP. GORDON PIERSON, JR	✓		
REP. SCOTT REICHNER	✓		
REP. CARY SMITH		✓	
REP. CAROLYN SQUIRES		✓	
REP. TOM STEENBERG	✓		
REP. JEFFERY WELBORN	✓		
REP. TOM BERRY, CHAIR		✓	

16-4

16-4





**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS & LABOR COMMITTEE**

DATE: 2/15/13 BILL NO. 425 MOTION NO. \_\_\_\_\_

MOTION: Do Pass

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. DAN SALOMON, VICE CHAIR		✓	
REP. CARLIE BOLAND, VICE CHAIR		✓	
REP. CHRISTY CLARK	✓		
REP. AMANDA CURTIS	✓		
REP. STEVE FITZPATRICK		✓	
REP. EDWARD GREEF		✓	
REP. ROGER HAGAN		✓	
REP. CHUCK HUNTER	✓		
REP. MIKE LANG		✓	
REP. JONATHAN MCNIVEN		✓	
REP. DAVID MOORE		✓	
REP. REILLY NEILL	✓		
REP. PATRICIA PEPPERS		✓	
REP. GORDON PIERSON, JR		✓	
REP. SCOTT REICHNER		✓	
REP. CARY SMITH		✓	
REP. CAROLYN SQUIRES		✓	
REP. TOM STEENBERG	✓		
REP. JEFFERY WELBORN		✓	
REP. TOM BERRY, CHAIR	✓		

*By 6-14 Failed*

**MONTANA House of Representatives  
Visitors Register  
HOUSE BUSINESS AND LABOR COMMITTEE**

# Friday, February 15, 2013

## HB 287 - Enhance penalty for consumer protection violations

**Sponsor: Rep. Daniel Salomon**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**

# MONTANA House of Representatives Visitors Register

**Friday, February 15, 2013**

## HB 460 - Provide residential roofing repair protection for insurance policyholders

**Sponsor: Rep. Roger Hagan**

**PLEASE PRINT**

[illegible]

**Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.**